



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Payment and reimbursement of medical expenses — Article 72 of the Staff Regulations (Joint Sickness Insurance Scheme for European officials).

Data Controller: *PMO- UNIT PMO3*

Record reference: *DPR-EC-01090.1*

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1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation concerning the settlement and reimbursement of medical expenses — Article 72 of the Staff Regulations (Joint Sickness Insurance Scheme for European Officials), undertaken by *PMO3* is presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation:

PMO3 collects and uses your personal data to settle and reimburse your medical expenses in accordance with Article 72 of the Staff Regulations of officials and other servants of the European Union and the common rules on medical cover.

More specifically, your data is collected for the following purposes:

(1) Optimal reimbursement of medical expenses incurred by each individual insured or dependent of the insured and beneficiary of the sickness insurance, under Article 72 of the Staff Regulations of officials and other servants and the common rules on medical cover relating to cover of the risks of illness of civil servants and the General Implementing Provisions (GIP). This part of the management includes in particular:

- reimbursement of medical expenses
- requests for complementarity under Article 72 of the Staff Regulations of officials and other servants
- requests for prior authorization
- requests for direct billing for hospitalization
- requests for acceptance of dental and orthodontic estimates
- issuance of affiliation certificates with the JSIS

(2) Management for statistical purposes for internal use only, for:

- Regular fixing and adjustment of parity coefficients;
- Regular fixing and adjustment of ceilings and maximum reimbursements;
- General and overall statistics on expenditure, e.g. by group of services (hospitalization, medicines, dentistry, etc.) and/or by group of officials and members (active and/or retired)
- establishment of insurance rights and/or JSIS membership rights (full coverage/top-up/no cover)

Your personal data will *not* be used for an automated decision-making including profiling within the meaning of Article 24 of Regulation (EC) No 2018/1725.

3. On what legal ground(s) do we process your personal data

For the purposes of Article 5(1) of the Regulation, we process your personal data because:

(a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;

(b) processing is necessary for compliance with a legal obligation to which the controller is subject;

Your personal data is processed pursuant to:

Commission Decision (2003/522 / EC) of 6.11.2002 establishing the Office for the administration and payment of individual entitlements, available via EUR-Lex

Financial Regulation - Regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union, repealing Regulation (EU, Euratom) No 966/2012, available via EUR-Lex

The Staff Regulations of Officials and the Conditions of Employment of Other Servants, available on Staff Matters Portal and EUR-Lex (Article 72 more specifically)

Council Regulation (EU) 2016/300 of 29 February 2016 fixing the emoluments of high-level public office holders in the European Union, available via EUR-Lex

Common rules on sickness insurance for EU officials, available on the Staff Matters Portal and through the Register of implementing rules for the Staff Regulations and the Staff Regulations

Commission Decision C (2007) 3195 of 2.7.2007 establishing the general implementing provisions relating to the reimbursement of medical expenses, available on the Staff Matters Portal and through the Register of implementing rules for the Staff Regulations

General implementing provisions relating to accident risk cover for the spouse, children and other dependents of officials of the European Communities posted to a third country, available on the Staff Matters Portal and through the Register of implementing rules of the statute and the staff Regulations

General implementing provisions for Article 24, first and second paragraph of Annex X of the Staff Regulations, available on the Staff Matters Portal and through the Register of implementing rules for the Staff Regulations

Implementing measures for the Statute for Members of the European Parliament established by Bureau Decision of 19 May and 9 July 2008 (Articles 3 to 6 on reimbursement of medical expenses), available via EUR-Lex

Under Article 10 (2) of Regulation (EC) No 2018/1725, we deal with special categories of personal data. In particular, we process data relating to health or data relating to sexual life or sexual orientation. We process this category of data because:

Article 10(2)(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes;

Article 10(2)(b) the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and

social security and social protection law insofar as it is authorised by Union law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

Article 10(2) (c) the processing is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent;

Article 10(2)(f) the processing is necessary for the establishment, exercise or defence of legal claims or whenever the Court of Justice is acting in its judicial capacity;

Article 10(2)(h) the processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union law.

4. Which personal data do we collect and further process?

In order to carry out this processing operation, the Data Controller, PMO3 collects the following categories of personal data: Professional and private data relating to the identity of the insured (see also DPR-EC-01117.1 on SYSPER)

- full office address
- date of entry into service
- date of birth
- institution
- language
- private address
- personnel number and registration number
- nationality
- surname, first name
- country
- gender
- phone number
- title
- position
- category of beneficiary

Data relating to the identification of the bank account to which the reimbursement of medical expenses will be made (see also DPR-EC-01116.1 on NAP and DPR-EC-01146.1 on Payment Factory):

- Bank identification details: Third party file (SINCOM2)
- BANK AGENCY CODE
- BIC CODE
- ITA CODE
- BANK ACCOUNT
- ITA ACCOUNT
- CURRENCY
- THIRD PARTY SI2

When the reimbursement is made to a person external to the institutions and bodies of the EU, this person must provide all the documents necessary for his personal identification, including a copy of the identity card, and the validation of the bank account.

- Salary history for calculating of rights on the basis of Article 72(3) of the Staff Regulations of Officials and Other Servants.
- Declaration by members on the professional activity of the spouse/partner and/or children (necessary for the establishment of sickness insurance cover- See also DPR-EC-01117.1 on SYSPER)
- All details of the services declared (invoices, medical prescriptions) as well as the corresponding reimbursements
- Medical data, processed under strict confidentiality, such as medical reports drawn up by the general practitioner, the expert doctor, the medical officer and the doctor appointed by the competent service.

The data controller processes special categories of personal data, namely your health data, pursuant to Article 10 (2) (b) & (c) of Regulation (EU) No 1725/2018, i.e. medical data, processed under strict confidentiality, such as medical reports drawn up by the general practitioner, the expert doctor and the doctor appointed by the competent service.

We collect your data directly from the data subject (see Article 15 of the Regulation). The provision of your personal data is necessary in order to fulfil our obligations under the Staff Regulations under Article 72 of the Staff Regulations of Officials and Other Servants of the European Union and the Common Rules on Medical Coverage.

5. How long do we keep your personal data?

The Data Controller, PMO.3, keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely:

- applications of all types in paper format (original documents) — 18 months (documents kept by the staff member himself)
- original documents sent to PMO in paper format — 18 months (then eliminated)
- original documents sampled — control — 7 years — in accordance with Article 134 of the Financial Regulation
- digitized files — 7 years — in accordance with Article 134 of the Financial Regulation
- files sent to doctors appointed by the competent services (kept on their premises)

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

In addition, the following services receive your data for the purpose of carrying out their duties under the Staff Regulations of Officials and the applicable law of the European Union:

- The managers of the PMO3 health insurance sector
- The PMO’s relevant financial departments as regards the execution of payments (salaries, pensions, etc.).
- The relevant services of DG HR as part of their medical file.
- The services of DG HR and the Legal Service with regard to complaints and actions in Court of Justice against decisions adopted.
- If necessary, the social workers of DG HR’s medical service
- Internal departments and bodies responsible for carrying out checks or inspections under EU law.
- The relevant services of DG BUDG as regards the data necessary for the transfer to the bank accounts of the data subjects
- the relevant departments of the General Secretariat in the case of confirmatory applications for access to documents
- Insurance companies under a reinsurance contract with the European institutions
- Third party insurance companies in the context of the recovery of disbursements. They can be located outside the EU
- Doctors appointed by the competent services in accordance with the terms of reference given on the basis of the common rules and their contract for the provision of services and specifications
- The occupational physicians of the institutions and bodies which have signed an agreement on the provision of services with the PMO
- External departments and bodies responsible for carrying out checks or inspections under EU law.
- European Ombudsman in the event of a complaint
- Any relevant national authority on the basis of a detailed request

The data controller may transfer some of your personal data to hospital in case of direct billing. The hospital may be a third country in accordance with Regulation (EU) 2018/1725

The controller will transfer your personal data based on:

- Article 47 of Regulation (EU) 2018/1725 : adequacy decision
- In the absence of appropriate safeguards, the derogations provided for in Article 50(1)(a)-(g) of Regulation (EU) 2018/1725 apply, in this case for the following reasons:
 - (b) the transfer is necessary for the performance of a contract between the data subject and the data controller or for the implementation of pre-contractual measures taken at the request of the data subject;
 - (e) the transfer is necessary for the establishment, exercise or defense of legal claims;
 - (f) the transfer is necessary to safeguard the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving his or her consent.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) on grounds relating to your particular situation.

You have consented to provide your personal data to the data controller , PMO 3 for the present processing operation. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, PMO.3 (PMO-3-RCAM-FO-BO@ec.europa.eu).

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: [DPR-EC-01090](#)